

REMARKS

The Official Action of August 1, 2008, and the prior art relied upon therein have been carefully reviewed. The claims in the application remain as claims 1-3, and these claims define patentable subject matter, and should be allowed. Favorable reconsideration and allowance are respectfully urged.

Acknowledgement by the PTO of the receipt of applicants' papers filed under Section 119 is noted.

The drawings have been objected to and new drawings, each sheet marked "Replacement Sheet", are attached. Approval and entry are respectfully requested.

Figs. 1A, 1B through 5A, 5B are now marked "Prior Art".

Applicants respectfully disagree with and therefore traverse the objection under 37 CFR 1.83(a), because the route traversed by the cables is shown in Figs. 9 and 10, i.e. the door-closing cable 21" is shown in Fig. 9 and the door-opening cable 21' is shown in Fig. 10.

Withdrawal of the objection and of any requirement associated therewith is respectfully requested.

Claims 1-3 have been rejected under the second paragraph of Section 112. The rejection is respectfully traversed.

First, applicants appreciate the examiner noting the typographical error in line 4 of claim 1, which has now been corrected by replacing the word "slider" with the word "sliding".

Applicants traverse the holding that the wording "the vicinity" is improper as lacking antecedent basis, because no antecedent basis is necessary for such an expression, as it is inherently present, just as is "the outer surface of said sphere" which would not require antecedent basis because a sphere inherently has an outer surface, noting MPEP 2173.05(e). Nevertheless, the wording "in the vicinity of" has been replaced with the wording "near or at" in deference to the examiner's views, no difference in meaning being made or intended.

As regards the phraseology at lines 26 and 27, it only means that one end of each of the cables is called the "base side end", and it is such base side end which is coupled to the power unit. The phraseology has been changed slightly in deference to the examiner's views, again without any change in meaning or intent to change the meaning. How and exactly where the cable is being routed from the lower rail, through

the drive on the door and onto the middle/center rail, is irrelevant, the claim being generic to different ways that this routing may be carried out.

Withdrawal of the rejection is in order and is respectfully requested.

Claims 1-3 have been rejected under Section 102 as anticipated by Fukumoto et al USP 6,530,619 (Fukumoto). This rejection is respectfully traversed.

Fukumoto discloses the same structure shown in Figs. 5A and 5B of the present application, which is admittedly a prior construction as disclosed in the paragraph spanning pages 2 and 3 of applicants' specification, referencing Japanese Patent Laid-open No 2001-336352. Applicants' embodiments define novel subject matter over such a construction e.g. over Fukumoto as explained below.

In the present invention, the powered sliding device has a door-opening cable 21' and a door-closing cable 21". One end of the opening cable 21' is connected at or near the rear end of the lower rail 14. One end of the closing cable 21" is connected with or near the front end of the center rail 16. Such subject matter is not disclosed by Fukumoto.

Withdrawal of the rejection based on Section 102 is in order and is respectfully requested.

Fukumoto has not been applied under Section 103, and applicants agree that there is nothing in Fukumoto or in other known prior art which would have made it obvious to the person of ordinary skill in the art to change the Fukumoto construction to reach the subject matter of claims 1-3.

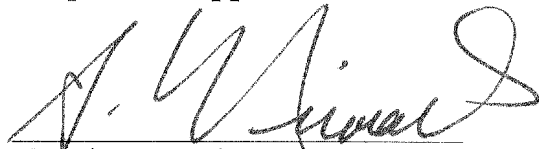
The prior art documents of record and not relied upon by the PTO have been noted, along with the implication that such documents are deemed by the PTO to be insufficiently material to warrant their application against any of applicants' claims.

Applicants believe that all issues raised in the Official Action have been addressed above in a manner that should lead to patentability of the present application. Favorable consideration and early formal allowance are respectfully requested.

Respectfully submitted,

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